

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

IN RE:)	Chapter 13
)	
Michael D. Waterloo,)	Case No. 18-30468
)	
Debtor(s).)	Judge Thorne

NOTICE OF MOTION

The following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov

Marilyn Marshall, Ch. 13 Trustee: courtdocs@chi13.com

The following persons or entities who have been served via U.S. Mail:

See attached list.

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in her stead at 219 South Dearborn Street, Chicago, IL 60604, and present the attached **Motion to Modify Chapter 13 Plan**, at which time and place you may appear.

JUDGE: Thorne
ROOM: 613
DATE: November 27, 2019
TIME: 9:30 AM

PROOF OF SERVICE

The undersigned certifies that a copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, on or before November 5, 2019 at 5:00 p.m., with sufficient postage prepaid, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

/s/ Alexander Preber
Alexander Preber, A.R.D.C. 6324520
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeling, IL 60090
847/520-8100

To the following persons or entities who have been served via first-class U.S. Mail:

**Michael D. Waterloo
7322 W. Addison
Chicago, IL 60634**

**Illinois Department of Revenue
Bankruptcy Section
PO Box 19035
Springfield, IL 62794-9035**

**City of Chicago Department of Finance
c/o Arnold Scott Harris P.C.
111 W. Jackson Ste. 600
Chicago, IL 60604**

**Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-9617**

**Prestige Financial Services
BANKRUPTCY DEPT
PO Box 26707
Salt Lake City UT 84126**

**Commonwealth Edison Company
Bankruptcy Department
1919 Swift Drive
Oak Brook, IL 60523**

**IRS
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346**

**SpeedyRapid Cash
PO Box 780408
Wichita, KS 67278**

**PEOPLES GAS LIGHT & COKE
COMPANY
200 EAST RANDOLPH STREET
CHICAGO, ILLINOIS 60601**

**BANK OF MISSOURI
2700 S LORRAINE PL
SIOUX FALLS, SD 57106**

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MOTION TO MODIFY CHAPTER 13 PLAN

NOW COMES the debtor, MICHAEL D. WATERLOO, by and through his attorneys, DAVID M. SIEGEL AND ASSOCIATES, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On October 30th, 2018, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on March 27th, 2019. Marilyn O. Marshall was appointed Trustee in this case.
- 3) The Debtor's Chapter 13 plan currently provides for payments of \$120.00 for an initial plan term of 36 months, with payments to the General Unsecured Creditors of at least 10% of their allowed claims.
- 4) The Debtor has paid \$949.64 into his Chapter 13 plan over the 13 months since the case was filed.
- 5) The Debtor is currently in default in the amount of \$730.36.
- 6) The Debtor also has a 2018 tax refund turnover default of \$1,087. Debtor's full return is \$2,287, and is allowed to keep up to \$1,200 due to current plan language. 2018 1040 taxes were uploaded to the Trustee on 10/17/19.
- 7) Full default in the case will be \$1,817.36

- 8) The Debtor fell behind in his current case due to him losing his job around 6/2019. He used 2018 tax refund to make a down payment on his car repairs and to cover some of his necessary household bills.
- 9) The Debtor has begun working for Uber to make up the loss in his income; he can resume monthly payments, but cannot cure the default in the case.
- 10) The Debtors girlfriend has also been contributing \$1800 a month, which is a \$300 increase to help out with the household expenses, along with cutting their budget, while Debtor looks for more permanent work.
- 11) The Debtor proposes to modify his Chapter 13 plan pursuant to 11 U.S.C. §1329 to defer his current default to the end of the plan. Debtor makes this proposal in good faith and with the intention of completing his Chapter 13 plan.
- 12) Deferring the default would require the plan to run slightly longer than 60 months, so the Debtor further proposes to increase his monthly payment by \$55.00 to \$175.00 per month, to ensure that general, unsecured creditors continue to receive 10% of their allowed claims.
- 13) This proposal will not cause the confirmed Chapter 13 plan to run longer than 60 months and will continue to pay General, Unsecured Creditors at least 10% of their allowed claims.

WHEREFORE, the Debtor, MICHAEL D. WATERLOO, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Alexander Preber
Alexander Preber, A.R.D.C. 6324520
Attorney for the Debtor(s)

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790 Chaddick Drive
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